

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALLAH,

Petitioner,

V.

STATE OF WASHINGTON.

Respondent.

CASE NO. C20-189 MJP

ORDER ADOPTING REPORT AND RECOMMENDATION;

STRIKING PENDING MOTIONS AS MOOT

This matter comes before the Court on Petitioner's Motion in Support of Emergency
Leave (Dkt. No. 20), Petitioner's Motion for Immediate Release (Dkt. No. 24), and upon the
Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate
Judge (Dkt. No. 19). Having reviewed the Motions, the Report and Recommendation, and the
Record, the Court DENIES Petitioner's Motions, Adopts the Report and
Recommendation, and DISMISSES this action with prejudice.

Petitioner brought this federal habeas action arguing—as he has done numerous times before—that he is being illegally confined pursuant to the criminal judgment entered in King

1 County Superior Court case number 99-1-06987-7 SEA. (See Dkt. No. 14.) Petitioner has
2 raised some variation of this argument in no fewer than 40 actions in this district and has been
3 unsuccessful in each case. (See Dkt. No. 25.) Most recently Petitioner raised this argument in
4 *Allah v. Holbrook*, C20-784-JLR, which was dismissed by United States District Judge James L.
5 Robart on August 20, 2020. The Court therefore agrees with Magistrate Judge Theiler's finding
6 that this habeas action is duplicative and DISMISSES this action with prejudice. The Court also
7 STRIKES Petitioner's Motion in Support of Emergency Habeas (Dkt. No. 20) and Motion for
8 Immediate Release (Dkt. No. 24) as moot.

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10 The clerk is ordered to provide copies of this order to all counsel.

11 Dated September 29, 2020.

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16 Marsha J. Pechman
17 United States Senior District Judge
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